

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

LELAND CORSO, JR.,)	
)	
Petitioner,)	
)	
v.)	1:22CV274
)	
TODD E. ISHEE, <i>et al.</i> ,)	
)	
Respondent.)	

ORDER

On December 13, 2023, the United States Magistrate Judge's Recommendation was filed, and notice was served pursuant to 28 U.S.C. 636. Petitioner filed objections, (ECF No. 31), to the Recommendation within the time limit prescribed by Section 636. Petitioner subsequently filed a Motion to Amend the Objections, (ECF No. 32), and that request will be granted to the extent that the Amended Objections, (ECF No. 33), will also be considered.

The Court has reviewed Petitioner's Objections and Amended Objections de novo and finds that they do not change the substance of the United States Magistrate Judge's Recommendation, (ECF No. 29), which is **affirmed and adopted**.

To the extent that Petitioner has submitted what he describes as new evidence, the Court has reviewed his attachments and concludes that the attachments would not change the ultimate determination in this case. There is still no evidence that any video ever existed showing the actual disciplinary incidents for which Petitioner was convicted. In addition, as discussed in the Recommendation, to the extent there may have been video of Petitioner being escorted in the corridors before or after the disciplinary incidents, the disciplinary hearing officer attempted to obtain the available video in preparation for the hearing, but the video

was not available due to recent upgrades. Finally, Petitioner's objections point primarily to the dismissal of the disciplinary charge for interfering with staff duties, but the dismissal of that charge would not affect the separate disciplinary convictions for threatening to harm or injure staff and refusing to obey an order, and those disciplinary convictions were supported by the evidence as discussed in the Recommendation.

IT IS THEREFORE ORDERED that Petitioner's Motion to Amend Objections, (ECF No. 32), is **GRANTED**, that Respondent's Motion for Summary Judgment, (ECF No. 15), is **GRANTED**, that the Petition for a Writ of Habeas Corpus, (ECF No. 2), is **DENIED**, and this action is **DISMISSED**, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is **DENIED**."

This, the 30th day of January 2024.

/s/ Loretta C. Biggs
United States District Judge